



Docket No. LFS-102

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Allen House et al.

Confirmation No.:

Application No.: 09/637,504 ✓

Group No.:

Filed: August 11, 2000

Examiner:

For: GIMBALED BLADDER ACTUATOR FOR USE WITH TEST STRIPS

**CERTIFICATION UNDER (37 C.F.R. § 1.8(A))**

I hereby certify that, on the date shown below, this correspondence is being:

**Mailing**

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 08-25-2004

**Facsimile**

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature:

JANE SILABATS

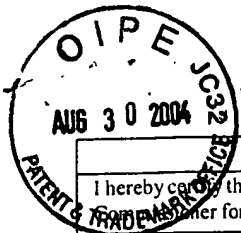
**Assistant Commissioner for Patents  
Washington, D.C. 20231**

**REQUEST FOR COPIES OF COMPLETED FORM PTO-1449**

1. The Notice of Allowability mailed on June 14, 2004 has been received.
2. The Information Disclosure Statements and PTO-1449 Forms, dated May 10, 2004 and July 16, 2002 were not acknowledged or initialed by the Examiner and returned to the Applicants' Attorneys:
3. It is respectfully requested that a copy of the completed Form PTO-1449 be furnished to the undersigned.

Mayumi Maeda  
Reg. No. 40,075

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
Tel: (408) 956-4790  
Date:  
Customer No. 000027777



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CERTIFICATE OF MAILING				
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date.				
Typed or Printed Name		Donna Macedo		
Signature		Date		
<b>INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(e)</b>  Address to: Assistant Commissioner for Patents Washington, D.C. 20231		Attorney Docket		LIFE-010
		First Named Inventor		HOUSE, ALLEN
		Application Number		09/637,504
		Confirmation No.		7600
		Filing Date		August 11, 2000
		Group Art Unit		1743
		Examiner Name		ALEXANDER, LYLE
		Title:		"GIMBALED BLADDER ACTUATOR FOR USE WITH TEST STRIPS"

Sir:

Applicants submit herewith patents and/or publications which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. While this Statement may be "material" pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any patent, publication, or other information referred to therein is "prior art" for this invention unless specifically designated as such. A listing of patents and/or publications is shown on enclosed Form PTO-SB/08A and a copy of each patent and/or publication is also enclosed.

Each item of information contained in the Information Disclosure Statement filed herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement (37 C.F.R. 1.97(e)(1)). A copy of the communication is enclosed for the Examiner's convenience.

The Examiner is requested to make the citations listed on the enclosed PTO-SB/08A of record in this application. Applicants would appreciate the Examiner initialing and returning the initialed copy of form PTO-SB/08A, indicating the references have been considered and made of record herein.

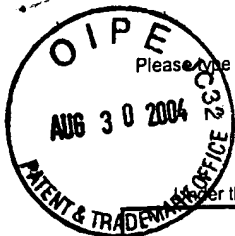
No fee is believed due as this statement is being submitted within three months of the mailing date of the enclosed foreign communication. However, if it is determined that fees are required, the Commissioner is hereby authorized to charge any necessary fees associated with this communication or credit any overpayment to Deposit Account No. 50-0815, Order No. LIFE-010.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

Date: 7/16/02

By: [Signature]  
Kelly J. McCrystle, Reg. No. 46,257

BOZICEVIC, FIELD & FRANCIS LLP  
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Please use a plus sign (+) inside this box →



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	09/637,504		
		Filing Date	August 11, 2000		
		First Named Inventor	HOUSE, ALLEN		
		Group Art Unit	1743		
		Examiner Name	ALEXANDER, LYLE		
Sheet	1	of	1	Attorney Docket Number	LIFE-010

U.S. PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Documents		Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, columns, lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	/	4,480,685		Gilbertson	11/06/1984	
	/	5,252,044		Raines et al.	10/12/1993	
	/	5,302,093		Owens et al.	04/12/1994	
	/	5,309,176		Faes et al.	05/03/1994	

FOREIGN PATENT DOCUMENTS								
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Documents			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
		/	WO99/34957		PCT	07/15/1999		
		/	EP0374115A1		EPO	06/20/1990		
		/	EP0803288A2		EPO	04/25/1997		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard St.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Docket No. LFS-102

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Allen House et al.

Serial No. : 09/637,504

Art Unit: 1743

Filed : August 11, 2000

Examiner: L. Alexander

For : GIMBALED BLADDER ACTUATOR FOR USE WITH TEST STRIPS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

5-10-2004

(Date of Deposit)

Jane Silarajs

(Name of applicant, assignee, or Registered Representative)

Jane Silarajs

(Signature)

5-10-2004

(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on July 16, 2002.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this

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information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☐ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☒ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

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- ☒ Statement in Accordance with §1.97(e)  
(attached); or
- ☐ Please charge Deposit Account No. 10-  
0750/ / the fee of \$180.00 as set forth  
in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not

enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☒ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☒ Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed July 16, 2002.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/LFS-102/MM. This form is submitted in triplicate.

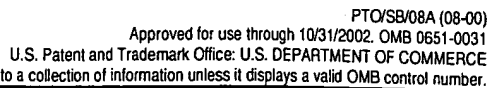
Respectfully submitted,



Mayumi Maeda  
Reg. No. 40,075  
Attorney for Applicants

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(408) 956-4790

DATED: 5/10/04



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Substitute for form 1449A/PTO

(use as many sheets as necessary)

Sheet 1 of 1

<i>Application Number</i>	09/637,504
<i>Filing Date</i>	August 11, 2000
<i>First Named Inventor</i>	Allen House et al.
<i>Group Art Unit</i>	1743
<i>Examiner Name</i>	L. Alexander
<i>Attorney Docket Number</i>	LFS-102

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 Applicant is to place a check mark here if English language Translation is attached.

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5-10-2004

(Date of Deposit)

Jane Silarajs

(Name of applicant, assignee, or Registered Representative)

Jane Silarajs

(Signature)

5-10-2004

(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

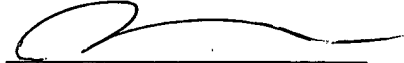
STATEMENT UNDER 37 C.F.R. §1.97(e)

In accordance with 37 C.F.R. §1.97(e), certification is hereby  
made that:

☐ Each item of information contained in the information  
disclosure statement was first cited in any communication from a  
foreign patent office in a counterpart foreign application not more  
than three months prior to the filing of the Information Disclosure  
Statement; or

☒ No item of information contained in the Information  
Disclosure Statement was cited in a communication from a foreign  
patent office in a counterpart foreign application, and, to the

knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.



Mayumi Maeda  
Reg. No. 40,075  
Attorney for Applicants

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(408) 956-4790  
DATED: 5/10/04

<i>Application Number</i>	09/637,504
<i>Filing Date</i>	August 11, 2000
<i>First Named Inventor</i>	Allen House et al.
<i>Group Art Unit</i>	1743
<i>Examiner Name</i>	L. Alexander
<i>Attorney Docket Number</i>	LFS-102